

Remarks/Arguments

Claims 1-19 are pending in the application. Claims 1-19 are rejected. Claims 1, 7 and 13 are cancelled without prejudice. New claims 20, 21, and 22 are added.

Claim Rejections Under 35 USC § 102

Claims 1-19 are rejected under 35 U.S.C. 102 (e) as being anticipated by McNiff et al. (McNiff) (US 6,560,216).

Rejection of Claim 1 under 35 U.S.C. § 102(e)

Claim 1 has been cancelled without prejudice. The subject matter from claim 1 has been incorporated into new claim 20.

Claim 20 includes the limitations of original claim 1, providing the further limitation "identifying the user with a unique VoIP-name to facilitate network communication specific to the user", support of which is found on page 6, lines 26-page 7 line 1, and page 7 lines 19-20, among others. Applicant is unable to find in McNiff reference to accessing the data network using a user-specific, device-independent, VoIP-name. On the contrary, Applicant submits that access to the data network is based, at least initially, on a device-specific IP address. Applicant respectfully requests consideration and allowance of claim 20.

Further, whereas claims 5 and 6 are dependent on claim 20, and are further limitations of claim 20, claims 5 and 6 are also not anticipated by McNiff. Applicant respectfully requests consideration and allowance of claims 5 and 6.

Rejection of Claims 2, 9 and 17 under 35 U.S.C. § 102(e)

Claim 2 has been amended to include the limitations of claim 1. Claim 9 has been amended to include the subject matter of claim 7. Claim 17 has been amended to include the subject matter of claim 13.

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With regard to amended claims 2, 9 and 17, the Office Action asserts that McNiff discloses "the data base 164 of the node 130 contains a profile for each mobile computing device authorized to connect to the data network 102, see column 5, lines 3-7." Applicant submits that the profiles in the data base 164 in McNiff are device-dependent, in that one profile is identified with one specific mobile computing device. In McNiff, the profiles are used to identify whether a specific mobile computing device is authorized access to the data network.

In contrast, Applicant submits that the user profiles as defined in Applicant's disclosure and claims are "associated with the user" or "user-dependent", and therefore are not analogous to the profiles stored in data base 164 in McNiff. The user profile, as provided in Applicant's disclosure and claims, is used to identify and locate the user that has temporarily become associated with a specific device IP address. Also, among other things, the profile provides the user with a common interface independent of the device used.

Further, in McNiff, the data base 164 stores profiles identified with mobile computing devices (col. 5, lines 3-8) and not mobile telephones, which is the subject of Applicant's amended claims 2, 9, and 17.

For the reasons stated above, Applicant submits that the rejection has been overcome and requests reconsideration and allowance of claims 2, 9 and 17.

Further, whereas claims 3 and 4 are dependent on amended claim 2, and are further limitations of claim 2, and whereas claim 10 which is dependent on amended claim 9 and is a further limitation of amended claim 9, claims 3, 4 and 10 are also not anticipated by McNiff.

Applicant respectfully requests reconsideration and allowance of claims 3, 4 and 10.

Rejection of Claims 3 and 10 under 35 U.S.C. § 102(e)

With regards to original claims 3 and 10, the Office Action asserts that McNiff discloses "the user profile of a mobile telephone device stored within the database 164 enables a wired phone (from the PSTN) or a mobile phone (from a RBS) to communicate with the device, see column 4, lines 3-6."

Applicant respectfully traverses the assertion that McNiff anticipates the invention as claimed in claims 3 and 10. Claim 3 provides "the user profile enables the user to communicate from either the mobile telephone or the wired telephone using a common interface that is based on the user profile." Claim 10, similarly, provides "providing the same user-dependant interface to a wired telephone."

Applicant is unable to find in McNiff reference to "a user profile" or "a user-dependent interface" that provides a common interface across more than one communications device, as provided in claims 3 and 10. Applicant submits that, in McNiff, the Home Location Register (HLR) 134 stores user profiles in the form of a simple list of device-specific IP addresses which are used to identify whether an IP address is a subscriber, or registered, with the wireless communication network 132 (col.4, lines 1-26, and others).

~~In contrast to Applicant's claims which provide a user-dependent device-independent~~
user profile, McNiff provides a device-dependent user-independent user profile. As such, Applicant submits that the user profiles as defined in Applicant's disclosure and in McNiff are not analogous.

For the reasons provided above, Applicant respectfully requests reconsideration and allowance of claims 3 and 10.

Rejection of Claim 7 under 35 U.S.C. § 102(e)

Claim 7 has been cancelled without prejudice.

The subject matter from claim 7 has been incorporated into new claim 21. New claim 21 further provides "providing a user-specific VoIP-name for addressing a user of the mobile telephone", support of which is found on page 6, lines 26-page 7 line 1, and page 7 lines 19-20, among others. Applicant is unable to find in McNiff reference to accessing the data network using a user-specific VoIP-name, independent of the device used. Applicant respectfully requests consideration and allowance of claim 21.

Further, whereas claims 8, 11 and 12 are dependent on claim 21, and are further limitations of said claim, claims 8, 11 and 12 are also not anticipated by McNiff. Applicant respectfully requests consideration and allowance of claims 8, 11 and 12.

Rejection of Claim 13 under 35 U.S.C. § 102(e)

Claim 13 has been cancelled without prejudice.

The subject matter from claim 13 has been incorporated into new claim 22. Claim 22 further provides "thereby communications with the mobile telephone as addressed by a user-specific VoIP-name via the data network" (support found on page 6, lines 26-page 7 line 1, and page 7 lines 19-20, among others). Applicant is unable to find in McNiff reference to accessing the data network using a user-specific VoIP-name, independent of the device used. The amendment made to the claim renders the rejection moot. Applicant respectfully requests consideration and allowance of claim 22.

Further, whereas claims 14-16, 18 and 19 are dependent on claim 22, and are further limitations of claim 22, claims 14-16, 18 and 19 are also not anticipated by McNiff. Applicant respectfully requests reconsideration and allowance of claims 14-16, 18 and 19.

Documents Cited but Not Relied upon for this Office Action

Applicant need not respond to the assertion of pertinence stated for the references cited but not relied upon by the Office Action since no amendments were made to the claims and, further, these references are not made part of the rejections in this Office Action. Applicant is expressly not admitting to this assertion and reserves the right to address the assertion should it form part of future rejections.

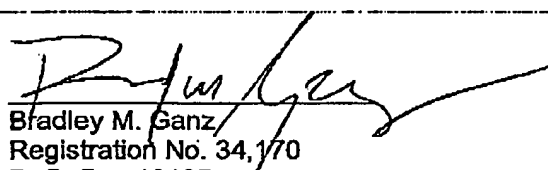
In view of the foregoing reasons for distinguishing over the cited references, Applicant has not raised other possible grounds for traversing the rejections, and therefore nothing herein should be deemed as acquiescence in any rejection or waiver of arguments not expressed herein.

CONCLUSION

Applicant submits that in view of the foregoing arguments and/or amendments, the application is in condition for allowance, and favorable action is respectfully requested. The Commissioner is hereby authorized to charge any fees, including extension fees, which may be required, or credit any overpayments, to Deposit Account No. 50-1001.

Respectfully submitted,

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